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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,809	01/12/2004	Jie Chen	021713-000110US	1693
20350	7590	06/03/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			MARTINEZ, JOSEPH P	
TWO EMBARCADERO CENTER				
EIGHTH FLOOR			ART UNIT	
SAN FRANCISCO, CA 94111-3834			PAPER NUMBER	
			2873	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/756,809

Applicant(s)

CHEN, JIE

Examiner

Joseph P. Martinez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Neilson et al. (5000570).

Re claim 1, Neilson et al. teaches for example in fig. 1, 2 and 3, a color separation system for generating optical signals for display applications, comprising: an optical illumination source operative to generate an optical beam (28); a first optically refractive element operative to refract the optical beam to produce an optical spectrum (104); a selection mechanism operative to separate the optical spectrum into a first optical signal of a first predetermined wavelength range and a second optical signal of a second predetermined wavelength range (100); and a second optically refractive element operative to collimate the first optical signal and the second optical signal (18).

Re claim 5, Nielson et al. teaches for example in fig. 1, 2 and 3, a color separation system for generating optical signals for an optical illumination source operative to generate an optical beam; a first optically dispersive element to generate an optical spectrum from the optical beam (104); a selection mechanism operated to

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separate the optical spectrum into a plurality of optical signals (100), each of the plurality of optical signals characterized by a predetermined wavelength range (col. 5, ln. 54-65); and a second optically dispersive element (fiber optic cable, col. 4, ln. 20-22, wherein the office interprets fiber optic cable to be a dispersive element as is well known in the art), wherein the plurality of optical signals are temporally separated (col. 7, ln. 54-57; col. 5, ln. 25-42; col. 6, ln. 21-24).

Re claim 8, Nielson et al. teaches for example in fig. 1, 2 and 3, a method of generating optical signals for display applications comprising the steps of: illuminating a first spectral dispersion element with a beam of light from a multispectral light source (28); passing the beam of light through the first spectral dispersion element to produce a spatially dispersed optical spectrum (104); separating the optical spectrum into a plurality of spectral components (col. 7, ln. 36-37); selecting a plurality of sub-beams from the plurality of spectral components; passing the plurality of sub-beams through a second spectral dispersion element (fiber optic cable, col. 4, ln. 20-22, wherein the office interprets fiber optic cable to be a dispersive element as is well known in the art); and generating from the sub-beams a plurality of spatially collimated signals corresponding to said sub-beams (via 18, fig. 3).

Re claim 2, Nielson et al. further teaches for example in fig. 1, 2 and 3, said selection mechanism is further operative to separate the optical spectrum into a third optical signal of a third predetermined wavelength range (RBG, col. 8, ln. 31-36).

Re claims 3 and 9, Nielson et al. further teaches for example in fig. 1, 2 and 3, the first predetermined wavelength range corresponds to a red region of the optical spectrum, the second predetermined wavelength range corresponds to a green portion of the optical spectrum, and the third predetermined wavelength range corresponds to a blue portion of the optical spectrum.

Re claim 4, Nielson et al. further teaches for example, the optical spectrum is separated into more than three wavelength ranges (col. 8, ln. 31-36).

Re claim 6, Nielson et al. further teaches for example, a first of the plurality of optical signals extends over a first wavelength range greater than a second of the plurality of optical signals (col. 7, ln. 20-29).

Re claim 7, Nielson et al. further teaches for example in fig. 3, the first of the plurality of optical signals is a white light signal (as provided by 28 and refracted by 104).

Re claim 10, Nielson et al. further teaches for example, said plurality of spatially collimated signals is a train of optical pulses (col. 6, ln. 12-24, wherein the office interprets the red, green and blue waveband data to teach the claimed limitation).

Re claims 11 and 14, Nielson et al. further teaches for example in fig. 1, 2 and 3, the selection mechanism includes a first transparent opening (52) characterized by a first linear dimension (straight line portion of slit 52) and a second transparent opening (54) characterized by a second linear dimension (straight line portion of slit 54), wherein the second linear dimension is greater than the first linear dimension (col. 7, ln. 24-26).

Re claim 12, Nielson et al. further teaches for example in fig. 1, 2 and 3, the first optical signal passes through the first transparent opening and the second optical signal passes through the second transparent opening (col. 5, ln. 1-18).

Re claim 13, Nielson et al. further teaches for example in fig. 1, 2 and 3, the selection mechanism includes a plurality of transparent openings (52, 54, 56, 72, 76, 78), at least two of the plurality of transparent openings separated from an adjacent transparent opening by a portion of the selection mechanism (fig. 2) that blocks the optical spectrum (col. 6, ln. 21-24).

Re claim 15, Nielson et al. further teaches for example, the train of optical pulses are each characterized by a spectral bandwidth (col. 6, ln. 12-24, wherein the office interprets the red, green and blue waveband data to teach the claimed limitation).

Re claim 16, Nielson et al. further teaches for example in fig. 1, 2 and 3, a plurality of sub-beams comprises providing a wavelength selector disc (100) including a

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plurality of transparent openings (52, 54, 56, 72, 76, 78) corresponding to a plurality of spectral bandwidths (red, blue and green; fig. 2).

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph P. Martinez whose telephone number is 571-272-2335. The examiner can normally be reached on M-F 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM
5-27-05


Hung Xuan Dang
Primary Examiner